



General Assembly

**Substitute Bill No. 57**

February Session, 2008

\* SB00057LAB\_031308 \*

**AN ACT REQUIRING THE WORKERS' COMPENSATION  
COMMISSION TO PROVIDED INJURED EMPLOYEES THE FORMS  
NECESSARY FOR FILING A CLAIM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-294b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Any employee who has sustained an injury in the course of his  
4 employment shall immediately report the injury to his employer, or  
5 some person representing his employer. If the employee fails to report  
6 the injury immediately, the commissioner may reduce the award of  
7 compensation proportionately to any prejudice that he finds the  
8 employer has sustained by reason of the failure, provided the burden  
9 of proof with respect to such prejudice shall rest upon the employer.

10 (b) Upon receipt of a report of injury by an employee, an employer,  
11 the employer's insurance carrier or the employer's representative, the  
12 Workers' Compensation Commission shall provide to the injured  
13 employee, not later than five business days after receipt of such notice,  
14 a copy of Form 30C, Notice of Claim for Compensation, or any  
15 successor form prepared by the Workers' Compensation Commission  
16 to help injured employees comply with the notice requirements of  
17 section 31-294c. The Workers' Compensation Commission shall  
18 provide such form to the injured employee in person or by mail sent to

19 such employee's current address on file with the employer.

20 Sec. 2. Subsection (b) of section 31-316 of the general statutes is  
21 repealed and the following is substituted in lieu thereof (*Effective*  
22 *October 1, 2008*):

23 (b) Upon determining that the employer or the employer's  
24 representative failed to report injuries as required by subsection (a) of  
25 this section, the workers' compensation commissioner may increase the  
26 award for compensation for the employee's injuries proportionate to  
27 the prejudice that the employee sustained due to the employer's failure  
28 to file.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	31-294b
Sec. 2	<i>October 1, 2008</i>	31-316(b)

**LAB**      *Joint Favorable Subst.*